

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MALQUIAS REYNOSO, *et al.*,

No. C 10-00984 SI (LB)

Plaintiff(s),

**ORDER REGARDING SETTLEMENT
CONFERENCE**

v.

CITY AND COUNTY OF SAN
FRANCISCO, *et al.*,

Defendant(s).

The parties have a settlement conference set for Friday, January 11, 2013, at 10:30 a.m. The court directs them to submit the following information required by the court's order on settlement conference statements. *See* Order, ECF No. 88. The information *may* be submitted by email to the court's orders box at lbpo@cand.uscourts.gov, and it *must* be submitted by the deadlines set forth below.

First, the court has no updated settlement papers by Plaintiffs even though the court's order required those papers by Friday, January 4, 2012. Plaintiffs may rely on their previous submissions in 2011 but they must submit an updated statement with any new information as soon as possible and no later than Monday, January 7, 2013, at 10:00 a.m., directly to chambers or by email to the orders box. Plaintiffs need not reiterate any information in the previous statements from 2011. Plaintiffs must include their fees and costs to date and projected through trial, and they must make a

1 specific demand to each defendant as discussed below. Fees and costs may be submitted
2 confidentially (and so may any other information that Plaintiffs want to share confidentially).

3 *Second*, the defendants must submit their fees and costs to date and projected through trial by
4 Monday, January 7, 2013, at 10:00 a.m., and they may do so confidentially by email to the orders
5 box.

6 *Third*, Plaintiffs must ensure that someone is available at the settlement conference to translate
7 real-time to Plaintiffs.

8 *Fourth*, Plaintiffs must make a demand to each defendant no later than close of business on
9 Wednesday, January 9, 2013 and must cc the court by email to the court's orders box. Before
10 making that demand, Plaintiffs' counsel must meet in person with Plaintiffs, review the discovery to
11 date (including that from the depositions), and translate the defendants' settlement papers to them
12 starting with the United States' papers (which contain a chronology of the evidence).

13 *Fifth*, the defendants must respond to the demand (and it is not enough to reject it) with a
14 specific amount (whatever it is) by 3 p.m. on Thursday, January 10, 2013, and must cc the court's
15 orders box.

16 *Sixth*, the court observes that the deadline for filing dispositive motions is January 11, 2013,
17 which is the date of the settlement conference. Both defendants have reiterated in their publicly-
18 filed case management conference statements their intent to file dispositive motions. The court
19 urges them to provide even courtesy copies of any filings as soon as possible to Plaintiffs (even if
20 the filings are later finalized in slightly different form). Plaintiffs' counsel must translate these
21 documents to the clients as soon as possible and preferably (depending upon receipt of them) before
22 making the demand contemplated by this order. If the timing does not permit a pre-demand
23 translation, then Plaintiffs must do it before the settlement conference. If it is not possible to do the
24 translation before Friday, January 11, 2013, then Plaintiffs are ordered to meet in the federal
25 building on Friday, January 11, 2013 at 9:00 a.m., either in a private conference room in the
26 attorney's lounge on the 18th floor, or in the court's witness room across from the courtroom on the
27 15th floor. Any logistical questions may be posed to the undersigned's courtroom deputy, Lashanda
28 Scott, at 415-522-3140.

1 *Seventh*, failure to comply with any of these requirements will result in the court's vacating and
2 resetting the settlement conference now set for January 11, 2013. The public record reveals that the
3 parties are contemplating consent to a magistrate judge for trial (and possibly dispositive motions),
4 and that means that there is sufficient time to conduct a settlement conference. Conversely, a
5 settlement conference will not be productive unless Plaintiffs comply with these modest
6 requirements.

7 **IT IS SO ORDERED.**

8 Dated: January 6, 2013



LAUREL BEELER
United States Magistrate Judge

